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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,538	11/30/2001	Huy P. Nguyen	PALM-3778	9994

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EXAMINER	
AMINI, JAVID A	

ART UNIT	PAPER NUMBER
2628	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Office Action Summary	Application No.	Applicant(s)	
	10/006,538	NGUYEN ET AL.	
	Examiner	Art Unit	
	JAVID A. AMINI	2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 April 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to Arguments

Applicant's arguments filed 4/23/2008 have been fully considered but they are not persuasive.

The applicant's invention relates to the fields of a mobile device that contains two segments, a first segment is moveably connected to a second segment. The first segment includes a contact-sensitive display. The second segment includes an input mechanism. The first segment and second segment can be moved between a contracted position and an extended position. In the contracted position, the second segment is overlaid relative to the first segment so that a portion of the display assembly is not accessible. In the extended position, the second segment is moved away from the display assembly so that all of the display assembly is accessible to a user of the handheld computer. As Applicant discloses under background art (or it is well known in the art) that the display size of a mobile device is considered as the primary factor that determine the size of the mobile device. E.g., the second reference Marko clearly illustrates in figs. 7 and 8 the display size and over the entire mobile dimension. In fig. 7 the mobile dimension is smaller than the dimension of the mobile device in fig. 8.

The Examiner has given careful consideration to the applicant's specification and claims, to the applied prior art references, and to the respective position articulated by the applicant, Examiner makes the determinations, as follows:

Firstly, the first reference Iwata in figs. 32 and 33 illustrates by opening a door 202 that attached to the mobile device, obviously the mobile dimension changes from fig. 32 device dimension to the device dimension in fig. 33, and the second reference Marko clearly illustrates in figs. 7 and 8 the display size and over the entire mobile dimension. On the other hand the cited

reference EP 1107101 A2 Uusimaeki illustrates in figs. 1a and 1b the overall mobile dimension changes as #14 touch slide moves (FYI… the mention reference is just for Applicant's information). Thus, the Examiner respectfully disagreed with Applicant's arguments in first paragraph on page 8.

Examiner suggests Applicant may be emphasized the floating text, images, or icons that may repositioned in response to changes in position of the second segment so they remain visible.

Applicant in first paragraph on page 9 argues that Iwata does not teach changing of display size area is not content sensitive. Contrary Iwata in col. 13 lines 53-56 teaches the display area 4 in fig. 1 switches to larger area in fig. 2, and e.g., col. 5 lines 52-59 teaches detecting displaying information according to the location of the slide cover, thus, it would have been obvious to one of ordinary skill in the art to recognize the display information is sensitive to the location of slide cove. Examiner's note: in claim 1 does not recite the feature of what Applicant argues as "content sensitive".

Applicant on page 9 third paragraph argues that Marko does not teach a sliding component operable to change the size of a dimension of the device, contrary, as explained in previous paragraph the second reference Marko clearly illustrates in figs. 7 and 8 the display size and over the entire mobile dimension. In fig. 7 the mobile dimension is smaller than the dimension of the mobile device in fig. 8, *id*.

Applicant on page 10 argues that the slider cover of reference Iwata serves as a protective shield, and concluded one would not be motivated to modify Iwata according to the teaching of Marko. Examiner strongly disagrees with Applicant's argument, because there is no where Iwata

disclosed the slider cover serves as the protective shield as one of his seven embodiments, however, Iwata improved the operability and durability of the protective cover for the input display unit of the mobile electronic apparatus.

In response to Applicant's argument on page 11 regarding claims 2-4: a display switch for changing a size of the display area is considered as the action for visual configuration, see Iwata discloses in col. 5 lines 63-64. Thus, it is obvious that data rendered/displayed on the display. Iwata discloses in Fig. 3 a "radio transmission" which is interpreted to be "wireless transmitter" and further Iwata disclose "wherein said action is the initiation of communication with another device using said wireless transmitter." in col. Col. 1 line 42-56 by stating "Telephone keyboard 6 for dialing keys is placed on the top of cover 7 installed on a mobile information terminal equipment body 1. Electronic note Keyboard 8 for character data input keys is installed from the back of cover 7 to the area cove-red by cover 7. A telephone mode and an electronic note mode are switched based on the output from a cover switch 9, which detects the opened/closed status of cover 7. Examiner's interpretation regarding the term "an external device", the wireless transmitter is transmitting signal and it has be an external receiver receiving the signal. Iwata disclose in col.1 line 42-56.

In response to Applicant's argument regarding claims 11 and 12 on page 12, Examiner believes that Iwata illustrates in fig. 66 steps S4-S6, if the action is telephone the information related to telephone is displayed or if the action is word processing the information related to word processing is displayed. Regarding claim 12, see Iwata in fig. 2 number 9 illustrates the limitation.

In response to Applicant's argument regarding claim 15, Marko teaches the sliding cover comprises a speaker, e.g., figs. 13-15 "SP1" i.e. speaker1, or col. 7 line 45.

Applicant on pages 13-14 argues similar to the previous arguments, and Examiner has been replied to them, see previous responses, above.

Examiner suggestions: Applicant's arguments may clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Applicant may consider emphasizing features of the first embodiment of the current invention into the claimed invention.

The previous rejections are still maintained.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-6, 8-13, and 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iwata et al. U.S. patent number 6,009,338, hereinafter Iwata, and in view of Eromaki Marko et al. EP 1 051 012 A2, hereinafter Marko.

Regarding Independent claim 1, Iwata teaches a portable electronic device (see fig. 1) comprising: a processor module (see fig. 3 unit 21) comprising a processor and a display (see fig. 3 unit 4 a LCD display) for displaying one or more objects (col. 30 lines 38-41, see "GUI"), wherein each object activates one of a plurality of actions executable by said processor module (see fig. 66 the steps S4-S6 are considered as a plurality of actions which are executable by the processor module in fig. 3 unit 21); a sliding component moveably coupled to said processor module (see, col. 5 lines 55-56; col. 8 lines 34-44), wherein said sliding component (e.g., in fig. 51 #302) is operable to change the size of a dimension (in fig. 51 #303) of said portable electronic device by sliding relative (fig. 51 #302 relative to #301) to said processor module (fig. 51 #301),

Iwata does not explicitly specify wherein said sliding component is operable to accept at least one button input from a user;

However, Marko teaches wherein said sliding component is operable to accept at least one button input from a user (e.g., figs. 14-15 #KB2).a sensing device (e.g. in figs. 56-57 #317) coupled to said processor module and to said sliding component for providing detecting a relative position of said display with respect to an edge of said sliding component (fig. 56 #305 is the edge of #302); a device driver for performing an action in response to a signal (e.g., fig. 42 a control unit that controls the display or LCD unit (Examiner's interpretation: the control unit is equivalent to the device driver), Iwata teaches wherein said action is based on a selection of information displayed on said display, and wherein is said selection is based on the position of said edge relative to said displayed information (e.g., col. 5 lines 52-59 discloses: the mobile information terminal equipment may further comprise a display unit for displaying information on a display area in part of the surface of the mobile information terminal equipment, a location detector for detecting a location of the slide cover, and a display switch for changing a size of the display area for displaying information and a displaying direction of information according to the location of the slide cover detected by the location detector).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Marko's device that provides a user interface with a set of keys and a display e.g., in fig. 14 KB2 into Iwata's device in fig. 53 with sliding cover of 302.

Regarding dependent claim 2, "the portable electronic device of claim 1, wherein said action is a visual configuration of data rendered on said display." Examiner's interpretation: a

display switch for changing a size of the display area is considered as the action for visual configuration, see Iwata discloses in col. 5 lines 63-64. It is obvious that data rendered/displayed on the display.

Regarding dependent claim 3, "the portable electronic device of claim 1, further comprising a wireless transmitter, and wherein said action is an initiation of communication with another device using said wireless transmitter." Iwata discloses in Fig. 3 a "radio transmission" which is interpreted to be "wireless transmitter" and further Iwata disclose "wherein said action is the initiation of communication with another device using said wireless transmitter." in col. Col. 1 line 42-56 by stating "Telephone keyboard 6 for dialing keys is placed on the top of cover 7 installed on a mobile information terminal equipment body 1. Electronic note Keyboard 8 for character data input keys is installed from the back of cover 7 to the area cove-red by cover 7. A telephone mode and an electronic note mode are switched based on the output from a cover switch 9, which detects the opened/closed status of cover 7.

Regarding dependent claim 4, "the portable electronic device of claim 1, further comprising a wireless transmitter, and wherein said action is an initiation of communication with an external device, using said wireless transmitter." Examiner's interpretation regarding the term "an external device", the wireless transmitter is transmitting signal and it has be an external receiver receiving the signal. Iwata disclose in col.1 line 42-56.

Regarding claim 5, Iwata teaches the portable electronic device as described in claim 1. Iwata and Marko do not specifically disclose the sensing device is a non-contact sensor device. However, Examiner takes an official notice that such feature as recited is very well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above teachings of Iwata and Marko for providing the type of sensor as claimed, for using either optical or electromagnetic switch in one or both side of a sliding cover in order to have an ability to switch on/off the display without using an extra key bottom.

Examiner's reply: The following arts contained the well-known non-contact sensor:

1. **Non-Contact Sensor For Servo Track Writer - Company Business and Marketing. Larry Sato, Year 2000, see detecting pronciple on first page.**
2. **US 2002/0135384 A1, Sep. 26, 2002, see [0001] and [0016].**
3. **US 6,467,369 B1, Mann et al. Oct. 22, 2002, see col. 2 lines 30-33.**
4. **US 5,990,807, Cloutier et al. Nov. 23, 1999, see abstract.**

Regarding dependent claim 6, Iwata discloses at col. 7, lines 24-25.

Claims 8 -10 recite method steps performed by the apparatus of claims 1-3; therefore they are similar in scope and rejected under the same rationale basis as in claims 1-3. Iwata in col. 13 line 19 teaches an execution of an application program.

Regarding dependent claim 11, "wherein said action is a display of related additional information to said portion of said information or associated with said object." Examiner's note: Applicant never amended the term "associated with said object" to "said portion of said information", however, Examiner believes both terms have similar meaning, thus, Iwata disclose in col. 7 lines 34-42 and in fig. 66 steps S4-S6.

Regarding dependent claim 12, "a method as described in claim 8 wherein said selection is via a key." Iwata in fig. 2 number 9 illustrates the limitation.

Regarding claim 13, Matti teaches in figs. 1a and 1b.

Regarding claim 15, the method as described in claim 8. Iwata does not specifically disclose the sliding cover comprises a speaker. However, Marko teaches the sliding cover comprises a speaker, e.g., fig. 11 "SP1" i.e. speaker1.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above teachings of Marko into Iwata for providing a method as claimed, for using a speaker on a sliding cover in order to have an ability to use (communicate) the handheld without sliding or opening the cover.

Claims 16-20 recite a computer readable medium containing executable instructions for executing the method of claims 8-11. It is obvious to have a medium configured to store or transport computer readable code in a computer system. For example compact disc has been included and used in the computer systems since 1990s or magnetic data storage devices have been used since 1980s. Also Iwata disclose a software application included in his portable electronic device in col. 30 lines 58 – col. 31 line 10.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Iwata, Marko, and further in view of Uusimaki Matti EP 1 107 101 A2, hereinafter Matti.

Regarding dependent claim 7, "the portable electronic device of claim 1, Iwata, and Marko do not explicitly specify wherein said signal is initiated from said sliding component by pressing on an input key residing on said sliding component." Examiner's interpretation: it's obvious to have an input coupled with a processor. On the other hand Iwata in fig. 3 illustrates sliding cover box 9 and the processor 21. Iwata disclose in col. 1 line 46-48.

However, Matti teaches wherein said signal is initiated from said sliding component by pressing on an input key residing on said sliding component (e.g., p. 2 paragraph 0007 and in figs. 1a and 1b illustrates the claimed invention.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Matti into Iwata and Marko, because Matti's device provides touch slide preprinted key signs #36 in fig. 1, and Iwata and Marko's devices are equipped with sliding cover, therefore the modification is obvious to a person skill in the art.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Iwata, Marko, and further in view of Hansen et al., U.S. Patent No. US 5,956,625, hereinafter Hansen.

Regarding claim 14, Iwata and Marko do not disclose the sliding cover comprises a microphone. However, Hansen in figs. 1-2, number 40 teaches the microphone on the cover.

Therefore, it would have been obvious to one skill in the art at the time the invention was made to modify the above teaching of Hansen into Iwata and Marko, because Hansen's device equipped with a microphone in the cover is electrically connected to electric parts in a telephone housing via a sliding contact that protect the microphone, on the other hand a user may dial a number or response to a call faster. By having a microphone and keys on top of the protective structure of Iwata's protective structure that cover the claimed features.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAVID A. AMINI whose telephone number is (571)272-7654. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kee Tung can be reached on 571-272-7794. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kee M Tung/
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